

REMARKS/ARGUMENTS

This case has been carefully reviewed and analyzed in view of the Office Action dated 26 March 2008. Responsive to that Office Action, Claims 1-3, 5-6, 9, 12-15, and 18-19 have been amended for further prosecution with the other pending Claims. It is believed that with such amendment of Claims, there is a further clarification of their recitations.

In the Office Action, the Examiner rejected Claims 1, 3-6, 9-10, and 15-18 under 35 U.S.C. § 103(a) as being unpatentable over the Berlyoung, et al. reference in view of the Brown, et al. reference. In this regard, the Examiner acknowledged that Berlyoung, et al. fails to disclose a service provider registering with a common service platform, a plurality of CPE's registering with the common service platform, or the common service platform determining whether CPE's designated by the service provider are registered. The Examiner, however, cited Brown, et al. for disclosing these features in its Fig. 2 and in certain passages of its specification, from this concluding that it would have been obvious to one of ordinary skill in the art to have accordingly modified the Berlyoung, et al. method.

The Examiner similarly cited Brown, et al. for disclosing the use of a password and user name not disclosed by Berlyoung, et al. The Examiner additionally relied upon Brown, et al. for disclosing the CPE's use of an information network to connect to the common service platform.

Also in the Office Action, the Examiner set forth the following additional rejections under 35 U.S.C. § 103(a):

Claims 7-8 as being unpatentable over Berlyoung, et al. in view of Brown, further in view of the Zimmerman, et al. reference (citing Zimmerman, et al. for disclosing the use of an authentication server which authenticates users by user name and password);

Claims 2, 11, and 19 as being unpatentable over Berlyoung, et al. in view of Brown, et al., further in view of the Fenton, et al. reference (citing Fenton, et al. for disclosing use of the same server for a service provider and common service platform, as well as the CPE's setting a time of delivery for a multimedia message); and,

Claims 12-14 as being unpatentable over Berlyoung, et al. in view of Brown, et al., further in view of the Marino, et al. reference (citing Marino, et al. for disclosing de-registration to disable a receiver from responding to further encrypted data messages from a particular source).

As newly-amended independent Claim 1 now more clearly recites, Applicants' method includes among its combinations of features providing a "common service platform" with which "a plurality of service providers each for independently generating multimedia messages" are registered. Also registered with this common service platform are a plurality of "customer premises equipment (CPE's)." The common service platform operates to receive

multimedia messages from the different service providers, along with related information as to the CPE's that are to receive them. Upon making appropriate determinations, the common service platform operates to then "selectively send[] ... at least one multimedia message of any one of the registered service providers to the designated ones of the plurality of CPE's via a multimedia messaging server," as Claim 1 also now more clearly recites. This enables safe and effective delivery at the CPE's of multimedia messages from various service providers, even those that the CPE's may not otherwise be able to receive multimedia messages from.

The full combinations of these and other features now more clearly recited by Applicants' pending Claims is nowhere disclosed by the cited references. In addition to the deficiencies already acknowledged by the Examiner in the primarily-cited Berlyoung, et al. reference's disclosures, that reference discloses an elaborate system for ensuring delivery of a "multicast message" to the numerous intended recipients of that message. While the system remains versatile enough to find alternate communications means by which to deliver the message, if the primary means will not work, it remains the same "multicast message" that the system strives to ensure delivery of. As the reference notes, if a selected subscriber recipient for a message is not served by the usual network communication link, other hardware docking interfaces are provided so that "the multicast message may be delivered to the subscriber as an audio (or audio and

video) file by the subscriber's e-mail system" for instance (column 2; lines 38-40).

Such elaborate efforts prescribed by Berlyoung, et al. to ensure safe delivery of a particular multicast message teaches quite diametrically away from a method wherein "a plurality of service providers ...for independently generating multimedia messages" are coupled to a plurality of CPE's by a common service platform for "selectively sending ... [a] multimedia message of any one of the registered service providers to ... designated ones of the plurality of CPE's," as newly-amended independent Claim 1 now more clearly recites.

The secondarily-cited Brown, et al. reference was cited for disclosing identity authentication features. Focused as it is on accurately identifying the identity of the individual actually making a telephone call or the individual on whose behalf the call is being made, Brown, et al.'s system fails to remedy the deficiencies of Berlyoung, et al. in disclosing the flexible multimedia messaging method claimed.

The Fenton, et al. reference is indeed directed to a multimedia message processing system; however, it too discloses features which clearly depart from those now more clearly recited by the pending Claims. The reference provides for various means to ensure complete and adequate processing of a given multimedia message generated by the multimedia server of a messaging center 126 for its user agents 102-112. Each multimedia messaging center 126 is equipped with its dedicated server 130 and relay 128. Fenton, et al. makes no provision for any

“common service platform” to serve “a plurality of service providers each for independently generating multimedia messages” which may be registered therewith, let alone for any such common service platform operable to “selectively send[] ... at least one multimedia message of any one of the registered service providers to ... designated” recipients, as Claim 1 further clarifies.

Zimmerman, et al. and Marino, et al. were cited respectively for disclosing the use of username/password and employing a de-registration option for security purposes. Aside from their incidental disclosures of such features, neither reference provides for a “common service platform” facilitating the multimedia messaging features recited now more clearly in Claim 1. These references likewise fail to remedy the deficiencies of Berlyoung, et al.

It is respectfully submitted, therefore, that the cited Berlyoung, et al., Brown, et al., Fenton, et al., Zimmerman, et al., and Marino, et al., references even when considered together, fail to disclose the unique combinations of elements now more clearly recited by Applicants’ pending Claims for the purposes and objectives disclosed in the subject Patent Application.

It is now believed that the subject Patent Application has been placed fully in condition for allowance, and such action is respectfully requested.

MR1035-1445

Serial Number: 10/820,728

Reply to Office Action dated 26 March 2008

No fees are believed to be due with this Amendment. If there are any charges associated with this filing, the Honorable Commissioner for Patents is hereby authorized to charge Deposit Account #18-2011 for such charges.

Respectfully submitted,
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Dated: 6/30/2008

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